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Dockets

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

8 FEB 1993

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Tim Roemer
Member, House of Representatives
217 North Main Street
South Bend, Indiana 46601

Dear Congressman Roemer:

This is in reply to your letter of January 21, 1993, in which you inquired on behalf of your constituent, Laura M. Nirenberg, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Ms. Nirenberg is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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ENCLOSURE

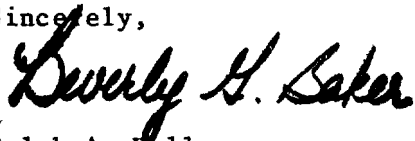
Honorable Tim Roemer

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due February 26, 1993, and Reply Comments are due April 14, 1993. We expect final rules to be issued near the end of 1993. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,


for

Ralph A. Haller
Chief, Private Radio Bureau

Enclosure:
Notice

Congressional

DUE: 2-3-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 01/26/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300229	01/26/93	01/21/93	02/08/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Tim Roemer	BC

CONSTITUENT'S NAME	SUBJECT
Laura Nirenberg	info/comments on a docket

REF TO	REF TO	REF TO	REF TO
PRB/220	Lmmid		
1-27-93	1-28-93		
DATE	DATE	DATE	DATE
01/26/93			

REMARKS: Contact person: Mark, 219-288-3301

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JAN 28 2 05 PM '93
PRIVATE AND CONFIDENTIAL

TIM ROEMER
3d DISTRICT, INDIANA

COMMITTEE ON EDUCATION
AND LABOR

COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY

*PRB
docket
229*

Congress of the United States
House of Representatives
Washington, DC 20515

January 21, 1993

WASHINGTON OFFICE:
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WASHINGTON, DC 20515
(202) 225-3915
DISTRICT OFFICE:
217 NORTH MAIN STREET
SOUTH BEND, IN 46801
(219) 288-3301
CALL TOLL FREE
1-800-439-3518

Federal Communications Commission
Private Radio Bureau
2025 M Street NW
Room 5002
Washington D.C. 20554

Dear Sir/Madam:

Ms. Laura Nirenberg has contacted my office to express her concerns about a proposed Federal Communications Commission (FCC) regulation. Enclosed please find supporting documentation.

Ms. Nirenberg states that if PR Docket 92-235 is passed, her radio-controlled model business will be devastated. Ms. Nirenberg believes that if this measure is passed the usability of frequencies will be greatly reduced. Would you please advise me on this matter?

Upon investigation please forward the necessary information needed for reply to my District Office. Should you have any questions please do not hesitate to contact my assistant, Mark, at 219-288-3301.

Sincerely,



Tim Roemer
Member of Congress

TR:mm
Encl.

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JAN 20 2 05 PM '93
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711 711
RECEIVED JAN 21 1993

January 19, 1993

ASSEMBLYMAN TIM ROEMER
217 North Main Street
South Bend, Indiana 46601

Dear Mr. Roemer:

I am a hobby retailer who specializes in radio-controlled models as well as other related products. I wrote to you on January 14th, asking you to help me with a very serious problem which has recently been brought to my attention regarding the Federal Communications Commission (FCC). The letter which I wrote you last week was very vague, and at this time, I have additional information which I feel needs to be passed on to you before you can adequately help me. Please keep in mind that the FCC has a deadline on this issue of February 26th, 1993, which does not leave us much time.

Enclosed is a letter with the signatures of several of my customers who have the same concerns as I do. Each of these people have a substantial amount of money tied up into their models and radio equipment and do not wish to just throw it all away. This action, if adopted, will have a severe, detrimental impact on everyone involved in R/C, not to mention the health risk involved.

It seems that the FCC is considering an action that has the potential to destroy my business as well as many just like mine. The proceeding is PR Docket 92-235, and if passed, will greatly reduce the usability of frequencies which have been currently assigned for R/C model use. The frequencies which we are using are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, the frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share without interfering with each other.

The Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 KHz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 KHz of frequencies available to us, thus eliminating safe use of at least 31 of the 50 channels on the 72 MHz band and 10 of the 30 frequencies on the 75 MHz band. It's even possible that more channels will be affected.

I am begging you to help me stop this. As I stated before, the FCC has a deadline on February 26th, 1993 after which, it may become more difficult to avoid this economic mistake. If you can think of anything else I may be able to do to stop this from happening, please advise.

Sincerely,



Laura M. Nirenberg
K & L HOBBIES, INC., & RACEWAY
3275 North 525 West
La Porte, Indiana 46350

WE, THE UNDERSIGNED, are very concerned about an action which is presently being considered by the FEDERAL COMMUNICATIONS COMMISSION (FCC) which will severely limit and potentially eliminate a hobby which is very important to us all. This proposed rule, if adopted, will greatly reduce the usability of the frequencies currently assigned for R/C model use and will increase the risk of accidents and attendant liability.

We urge you to reconsider this action regarding proposal PR Docket 92-235 for the 72-76 MHz Band. Please keep 10 KHz spacing between all frequencies on 75 MHz and 72 MHz frequencies.

James A. Madson
 Phil E. Christy
 Fred L. McPherson
 John Smith
 Jim Doherty
 Shawn J. Harley
 Doug Allen
 Dan West
 Brian Roache
 Andy Koester
 Steven M. Miller
 L. L. Holt
 Mark C. Egoff
 Robert W. Egoff
 Jeffery D. Johnson
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 Roger Kraus
 Dale Williams
 Brian Roache
 Tom Leake
 Jackie Molder

Allen & Gail

Ric Knap

~~KE~~

Ken Mac

Jim Reff

Dorothy Fontane